

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

LIGHT TRANSFORMATION
TECHNOLOGIES LLC

v.

LIGHTING SCIENCE GROUP
CORP., *et al.*

NO. 2:12-CV-826-MHS-RSP (LEAD CASE)

CONSOLIDATED

LIGHT TRANSFORMATION
TECHNOLOGIES LLC

v.

GENERAL ELECTRIC COMPANY, *et al.*

NO. 2-12-CV-827-MHS-RSP

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Plaintiff Light Transformation Technologies LLC (“LTT”) and defendants Lighting Science Group Corporation (“LSG”); Home Depot U.S.A., Inc. (“Home Depot”); General Electric Company; GE Lighting Solutions, LLC, GE Lighting, Inc., GE Lighting, LLC, GE Lighting Systems, LLC, and GE Lighting Systems, Inc. (collectively “GE”); and Wal-Mart Stores, Inc. (“Walmart”) (collectively “Defendants”) submit this Joint Claim Construction and Prehearing Statement pursuant to P.R. 4-3 and this Court’s Case Management Plan (Dkt. No. 49).

I. P.R. 4-3(a): The Construction of Claim Terms, Phrases, or Clauses on Which the Parties Agree.

The parties agree to the construction of the following terms:

Disputed Claim Term or Phrase	Asserted Claim(s)	Parties' Agreed-Upon Constructions
"predetermined pattern"	'911 patent, claim 6; and '959 patent, claims 1, 3, 6	A light pattern specified in advance, where the transformer is designed taking into account the angular luminous intensity distribution of the light emitted by the light source as a design input parameter.
"transformer axis coaxial to the longitudinal axis of the light pipe"	'418 patent, claim 24 ¹	The transformer and the light pipe have a common axis or centerline.

II. P.R. 4-3(b): Each Party's Proposed Constructions.

Plaintiff LTT's proposed constructions are attached hereto as Exhibit A. Defendants' proposed constructions are attached hereto as Exhibit B.

The above-referenced exhibits identify the intrinsic and extrinsic evidence that the respective parties presently intend to rely upon in support of their proposed constructions or to oppose any other party's proposed constructions.

¹ Because Plaintiff has not asserted the '418 patent against LSG and is no longer asserting the '418 patent against Home Depot, LSG and Home Depot do not join in this construction or any proposed constructions for the '418 patent.

III. P.R. 4-3(c): The Anticipated Length of Time Necessary for the Claim Construction Hearing.

The Court has scheduled the Claim Construction Hearing for June 18, 2014. (Dkt. No. 49.) Plaintiff and Defendants respectfully request that the Court allot four hours (i.e., 2 hours to each side) for the claim construction hearing.²

IV. P.R. 4-3(d): Whether Any Party Proposes to Call One or More Witnesses.

At the present time, neither side proposes to call witnesses at the claim construction hearing.

V. P.R. 4-3(e): A List of Any Other Issues That Might Appropriately Be Taken Up at a Prehearing Conference.

The parties are not presently aware of any issues which might be taken up at a prehearing conference.

April 17, 2014

Respectfully submitted,

By: /s/ draft

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² Because LTT is not asserting the '418 patent against LSG and Home Depot, the parties request four hours so that each defendant has an adequate opportunity to address each contested term applicable to it.

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CERTIFICATE OF SERVICE

I hereby certify that this document is served upon all counsel of record via electronic mail using the same email addresses that were provided to the Court's CM/ECF system per Local Rule CV-5(a)(3).

April 17, 2014

/s/ Henry Pogorzelski
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